

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S2/17/15*

# A Bill

SENATE BILL 156

5 By: Senator Hester  
6 By: Representatives House, Wright  
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## For An Act To Be Entitled

10 AN ACT TO CRIMINALIZE THE DISTRIBUTION OF AN IMAGE,  
11 *PICTURE, VIDEO, OR VOICE OR AUDIO RECORDING OF A*  
12 *SEXUAL NATURE TO HARASS, FRIGHTEN, INTIMIDATE,*  
13 *THREATEN, OR ABUSE A FAMILY OR HOUSEHOLD MEMBER OR A*  
14 *PERSON IN A CURRENT OR FORMER DATING RELATIONSHIP;*  
15 *AND FOR OTHER PURPOSES.*  
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## Subtitle

18 TO CRIMINALIZE THE DISTRIBUTION OF IMAGES  
19 *OR RECORDINGS OF A SEXUAL NATURE TO*  
20 *HARASS, FRIGHTEN, INTIMIDATE, THREATEN,*  
21 *OR ABUSE A FAMILY OR HOUSEHOLD MEMBER OR*  
22 *PERSON FROM A DATING RELATIONSHIP.*  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 *SECTION 1. Arkansas Code § 5-26-302 is amended to read as follows:*  
29 *5-26-302. Definitions.*

30 *As used in this subchapter:*

31 *(1)(A) "Dating relationship" means a romantic or intimate social*  
32 *relationship between two (2) individuals that is determined by examining the*  
33 *following factors:*

- 34 *(i) The length of the relationship;*
- 35 *(ii) The type of the relationship; and*
- 36 *(iii) The frequency of interaction between the two*



1 (2) individuals involved in the relationship.

2 (B) "Dating relationship" does not include a casual  
3 relationship or ordinary fraternization between two (2) individuals in a  
4 business or social context; ~~and~~

5 (2) "Family or household member" means:

6 (A) A spouse;

7 (B) A former spouse;

8 (C) A parent;

9 (D) A child, including any minor residing in the household;

10 (E)(i) Persons related by blood within the fourth degree of  
11 consanguinity.

12 (ii) The degree of consanguinity is computed pursuant  
13 to § 28-9-212;

14 (F) Persons who presently or in the past have resided or  
15 cohabited together;

16 (G) Persons who have or have had a child in common; or

17 (H) Persons who are presently or in the past have been in a  
18 dating relationship together;

19 (3) "Harass" means an act of harassment as prohibited by § 5-71-  
20 208;

21 (4) "Intimidate" means to force into or deter from an action by  
22 inducing fear;

23 (5) "Sexual nature" means that an image, picture, video, or  
24 voice or audio recording depicts actual or simulated:

25 (A) Sexual intercourse;

26 (B) Deviate sexual activity;

27 (C) Bestiality;

28 (D) Masturbation;

29 (E) Sadomasochistic abuse for the purpose of sexual  
30 stimulation; or

31 (F) Lewd exhibition of the:

32 (i) Genitals or pubic area of any person; or

33 (ii) Breast of a female; and

34 (6) "State of nudity" means:

35 (A) The appearance of a human anus, human genitals, or a  
36 female breast below a point immediately above the top of the areola; or

